

Remarks

The Examiner appears to refer to a version of Claims which is not current. The Applicants filed a Preliminary Amendment on 12 September 2005, which contains the current Claims. The USPTO acknowledged receipt of this Preliminary Amendment by a postcard dated 12 September 2005. For the convenience of the Examiner, the Applicants have attached a copy of the Preliminary Amendment dated 12 September 2005.

The Examiner has required an election of species between:

Group I - Gateway apparatus and method, as set forth in Claims 1 to 16 and 22 to 30, and

Group II - Client device, as set forth in Claim 17 to 21.

The Applicants respectfully request the Examiner to reconsider his requirement for the following reasons:

Claim 17, the only independent claim to a client device (Group II), includes only features from claims of Group I:

- a) Front end processor – Claim 7
- b) Back channel processor to generate a request signal responsive to a user input, wherein said request signal is provided to said apparatus via said transmission medium and causes said apparatus to provide said processed analog signals to said client device – Claim 28
- c) Control means for detecting an available frequency band – Claim 1.

It is therefore clear that the two species, as identified by the Examiner, are not mutually exclusive, as required by MPEP 806.04(f). The Examiner is therefore requested to withdraw his requirement for election of species.

For completeness, the Applicants elect, with traverse, the client device of Group II.

The Applicants look forward to an action on the merits of all of
Claims 1-30

No fee is believed to have been incurred by virtue of this response.
However if a fee is incurred on the basis of this response, please charge
such fee against the Applicants' deposit account 07-0832

Respectfully submitted,
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